Largie

Chairman of Commission

PERSONNEL STANDARDS COMMISSION ALABAMA FIRE COLLEGE AND



of the required courses of study, awards this In recognition of successful completion

APPARATUS OPERATOR

to

Terry L. Daniel

day of April, 1998

this

9th

Executive Directo

Certificate Number

A2531



Alora Board on Fire Service Tolessona Juanicators

It is hereby confirmed that

Terry L. Daniel

having been examined by an accredited agency in the

National Professional Qualifications System is certified as

FIRE FIGHTER II

March 4, 1998



Chairman of the Board

Certificate # 44888

Secretary to the Board

Tational Board on Aire Service Professional Qualifications

It is hereby confirmed that

Terry L. Daniel

having been examined by an accredited agency in the

National Professional Qualifications System is certified as

FIRE APPARATUS DRIVER/OPERATOR

NFPA 1002

April 9, 1998

Chairman of the Boar

Certificate # 45420

Secretary to the Board



TERRY DANIEL

has completed the BTLS Basic Course

JUNE 30, 1998

Date

RON SHIVER, MD

Course Director

STEVE WALDEN

Course Coordinator

VALLEY, ALABAMA

Course Site



Certificate # 48328

Secretary to the Board

ATOTA BOARD ON THE DENTE

It is hereby confirmed that

Terry L. Daniel having been examined by an accredited agency in the

National Professional Qualifications System is certified as

FIRE OFFICER I

NFPA 1021

June 14, 1998



Chairman of the Board



Alabama Fire College and Personnel Standards Commission

W.L. Langston, Executive Director

February 24, 1999

Lanett Fire Department Attn: Chief Ralph Cobb PO Box 290 Lanett, AL 36863

Dear Chief Cobb:

Enclosed are the Fire Officer II certificates earned by the following members of your department:

Terry L. Daniel

Each certificate is a symbol of a significant achievement by an individual. It also stands as a recognition of the vast body of knowledge and skills required of those engaged in fire protection.

As our people earn certificates such as these, each of us in the fire service can walk a little taller knowing that we are better prepared to protect the public we serve. Please extend my heartiest congratulations to these individuals and to those who were their instructors for a job well done.

Thank you for your support of career standards and improved training for the fire service.

Sincerely,

W.L. Langston
Executive Director

WLL/mgp Enclosures Chairman of Commission

PERSONNEL STANDARDS COMMISSION ALABAMA FIRE COLLEGE AND



of the required courses of study, awards this In recognition of successful completion

FIRE OFFICER II

to

Tenny L. Damie

February, 1999

this

24th

day of

Executive Directo

Certificate Number

Filed 08/22/2006

ALOIG BOIL ON MICO SONICE

It is hereby confirmed that

Terry L. Daniel

having been examined by an accredited agency in the

National Professional Qualifications System is certified as

FIRE OFFICER II

NFPA 1021

February 24, 1999



Chairman of the Board

Certificate # 52344

Secretary to the Board

Awarded to

Terry Daniel

1 recognition for completion of the National Fire Academy Course
Incident Command System

presented by Alabama Fire College

issued this 37th day of

October, 2000

Certificate of Completion

This certifies that

Terry L Daniel

has successfully completed the refresher

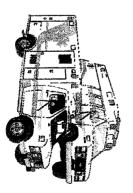
conducted at Lanett Fire and EMS Lanett, Alabama

Emergency Vehicle Operator Course (Ambulance)

10-30-00

Refresher Course

Name of EVOC Course Instructor/Director Here





Center for Bomestic Preparedness

Anited States Department of Justice Center für Aumentic Prepareduens



this certificate is awarded to

Terry L. Daniel

For Successful Completion of the WMA Incident Command Course (COTAL) at Anniston, Alabama October 20, 2001

P.H. Shahu

Curtis II. Straub II Director Vergreedicess Office

Aubum University



This is to certify that



was a participant in the WMD Incident Command Course (COBRA)

2.4 Continuing Education Credits
October 16-20, 2001

Vice President for Research



Terry Daniel

has completed the BTLS Basic Course

May 22 & 23, 2002

Date

Dr. Ron Shiver

Course Director

Jeff Monroe

Course Coordinator

Lanett Fire

Course Site



Awarded to

UNITED STATES PIRE ADMINISTRATION

Terry L. Daniel

TACTICAL CONSIDERATION - EMERGENCY MEDICAL SERVICES in recognition for completion of the National Fire Academy Course EMERGENCY RESPONSE TO TERRORISM:

presented by

The National Fire Academy

issued this 14th day of December, 2002

Amil-amil 21

16-43, JUN 93



Sponsored By: Provider Course, May 22nd & 23rd, 2002 Basic Trauma Life Support Lanett Fire & EMS

This Certifies That

Terry Daniel

Has Successfully Completed 16 Hours of Continued Training According to the Standards Established by BTLS International and Alabama ACEP for Emergency Providers

Level of Certification:

Basic

Licensed State:

Course Location:

8834876 Alabama

Lanett, Al. City Hall

Course Coordinator:

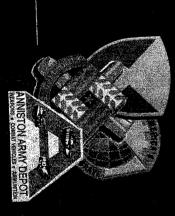
ff Monroe, Fire Chief



PASSECTES TO TO TO THE SECTION OF TH

OTO COLOR OF 72 A 150 - 20)

23 January 2002



DENNIS W. CRANDELL

mmuli) Clan Del

Command Sergeant Major

US Army Tank-automotive

and Armaments Command

CSM, USA



EPARTMENT OF THE ARMY

CERTIFICATE OF APPRECIATION

AWARDED TO

SPC TERRY DANIEL

IN APPRECIATION FOR YOUR SELFLESS SERVICE IN MAINTAINING THE SAFETY AND SECURITY OF THE TACOM-PEO PROFESSIONALISM, DEDICATION AND CONCERN FOR OTHERS EPITOMIZE TACOM'S MOTTO--"COMMITTED TO AND VISITORS, AND ENABLED THEM TO CONTINUE THEIR MISSION OF SUPPORTING THE SOLDIERS IN THE FIELD. YOUR FAMILY. YOUR PRESENCE AT TACOM DURING OPERATION NOBLE EAGLE REASSURED OUR WORK FORCE, ASSOCIATES EXCELLENCE"--AND REFLECTS GREAT CREDIT UPON YOU AND THE US ARMY

SEPTEMBER 2002

GARY B. CARNEY
COLONEL, USA
Chief of Staff

Chief of Staff
US Army Tank-automotive
and Armaments Command

DA FORM 7013, 1 AUG 91

FROM THE FEDERALLY RECOGNIZED ARMY NATIONAL GUARD

This is to certify that

TERRY LYNN DANIEL 417-88-2127 SPECIALIST DET 2 CO A 1 BN 167 IN

was Honorably Discharged from the

transferred to the United States Army Retired Reserve AUGUST 2002 This certificate is awarded

ALABAMA

ad a testimonial of Honest and Faithful Terrice

This discharge does not relieve the individual named herein from any unfulfilled obligation to perform military service which may be imposed on him/her by law."



יין ממכים מהט

CHIEF, PERSONNEL RECORDS HUDSON M. ABRAMS, WO1, AL ARNG

Alabama

STATE MILITARY DEPARTMENT PERSONNEL SERVICE BRANCH Post Office Box 3711 Montgomery, Alabama 36109-0711

ORDERS 006-010

January 06, 2002

. :

DANIEL, TERRY L SPC 417882127 DET 2 FWD, B CO 1/167 IN (WPKPB2-670) PELHAM, AL 36831

You are ordered to active duty as a member of your Reserve Component Unit for the period indicated unless sooner released or unless extended. Proceed from your current location in sufficient time to report by the date specified. You enter active duty upon reporting to unit home station.

Report to: NATIONAL GUARD ARMORY, DET 2 FWD, B CO 1/167 IN, (WPKPB2-670), 1000 YEAGER PARKWAY, PELHAM, AL 35124-0825 on 06 JANUARY 2002

Report to: Fort Rucker, AL on 09 JANUARY 2002

Period of Active Duty: NOT TO EXCEED 365 DAYS unless extended

Purpose: Operation NOBLE EAGLE Mobilization category code: G Additional Instructions:

- a. You are ordered to active duty with the consent of the Governor of the State of Alabama.
- b. Sure Pay is mandatory. Soldier must bring the appropriate documentation to support the requirement to authorize sure pay to the bank.
 - c. Early reporting is not authorized.
 - d. Unaccompanied baggage shipment is not authorized.
 - e. Movement of household goods and dependents is not authorized.
 - f. Movement by privately owned vehicle is authorized.
 - g. Travel by rental car is not authorized.
 - h. Nontemporary storage of household goods is authorized.
 - i. Excess accompanied baggage is not to exceed 120 pounds.
- j. Bring with you complete military clothing bag and as classified on packing list.
- k. Soldier will handcarry (if available) complete MPRJ, health and dental, training, and clothing records, if moving as an individual. (Records will not be moved in the same conveyance as soldiers when they move as a group per AR 600-8-101, Chapter 5)
- 1. Bring copies of rental or mortgage agreement, marriage certificate, birth certificate, birth certificate(s) of natural children, or documentation of dependency or child support.
- m. Bring copies of family care plan, wills, powers of attorney, and any other documentation affecting the soldier's pay or status.
- n. Personnel requiring eye correction will bring two pairs of eyeglasses and eye inserts for a protective mask.
 - o. Government quarters and mess will be used.
- p. Soldier is authorized storage of private owned vehicle at government expense IAW JTR U5800.
- q. Individual assigned to Para 203 Line 05, 11M1, IFV DRIVER, upon reaching MOB designation.
- r. "Call 1-800-336-4590 (National Committee for Employer Support of the Guard and Reserve) or check on line at www.esgr.org if you have questions regarding your employment/reemployment rights."

DEPARTMENT OF THE ARMY HEADQUARTERS, UNITED STATES ARMY AVIATION CENTER AND FORT RUCKER FORT RUCKER, ALABAMA 36362-5000

ORDERS 227-0501

15 August 2002

DANIEL, TERRY LYNN 417-88-2127 SPC 010167INCO B DET2 FW (WPKPB2) FT RUCKER AL

You are released from active duty, not by reason of physical disability, and assigned as indicated on the date immediately following release from active duty. Any temporary appointments held are terminated on your effective date of release from active duty.

Effective date of release from active duty: 15 August 2002
Assigned to: DET 2 FWD B CO 1/167 IN, PELHAM, AL 36831
Terminal date of Reserve obligation: Not applicable
Additional instructions: a. Transition Assistance Management Program:

- (1) Soldier is not entitled to separation pay IAW 10 USC 1174.
- (2) Expiration medical: 021014
- (3) Expiration post exchange/commissary: Not applicable
- (4) For information on benefits and services see the Army Career and Alumni Program (ACAP) office, Army Community Services (ACS) office and/or your military personnel office.
- b. Individual was ordered to active duty in support of Operation Noble Eagle.
- c. Will proceed date: 15 August 2002. d. SPD: MBK. e. Official travel arrangements purchased through a commercial travel office (travel) agency not under contract to the government is not reimbursable. f. Government transportation authorized from Fort Rucker, AL to Home of Record or PLEAD.

FOR ARMY USE

HOR: LANETT AL US

Place EAD or OAD: LANETT AL

MDC: 7BE2 Comp: ARNG PEBD: 850815 Format: 523

FOR THE COMMANDER:

* OFFICIAL

* FORT RUCKER, AL *

PERRY S. HENSLEY

DAC

ADJUTANT GENERAL

DISTRIBUTION:

SPC DANIEL (15)

Cdr 010167INCO B DET2 FW (3)

1 - S1 (unit)

1 - MPD/AG, TEAM 2 (OUTPROCESSING)

1 - MPD/AG, TEAM 3 (LEVY)

1 - CDR, DNCLCM (OUTPROC)

1 - MPD/AG, TEAM 3 (ID CARD SEC)

1 - MPD/AG, TEAM 2 (RECORDS CLK)

3 - DCFA (CHECK CONT/ACS-RAP/ACS-AER)



Alabama State Board of Health

THIS IS TO CERTIFY that a license is granted by the STATE BOARD OF HEALTH

DANIEL, TERRY L

and is subject to the provisions of Act1590, THIS license Shall Expire 03/31/2002 and is subject to the provisions of ACT1590, Regular Sessions 1971 Legislature. This license shall not be Assignable or Transferable and shall be subject to revocation as specified in Part II - The License, Section D of the STATE BOARD OF HEALTH, RULES, REGULATIONS AND STANDARDS, EMERGENCY MEDICAL SERVICES.

IN WITNESS WHEREOF, I have unto set my hand this

02/04/2000

License No:

8834876

License Level:

EMT-Basic/Driver

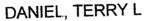
90552

State Health Officer

ADPH-F-EMS-34/2-95



Alahama State Board of Health THIS IS TO CERTIFY that a license is granted by the STATE BOARD OF HEALTH



and is subject to the provisions March 31, 2004 This license Shall Expire of The Code of Alabama, 1975, 22-18-1, et seq. This license shall not be Assignable or Transferable, and the licensee may be subject to disciplinary action, up to and including license suspension or revocation for any pertinent violation of the current ALABAMA STATE BOARD OF HEALTH, EMERGENCY MEDICAL SERVICES RULES.

January 17, 2002 IN WITNESS WHEREOF, I have unto set my hand this

License No:

8834876

License Level: Basic/Driver

102847

ADPH-F-EMS-31 / 8-2000(BS)

CERTIFICATE OF COPLETION

Basic EMT Refresher Class

Z æ DANIE

March 11&18, 2003- April 1,3,10,& 17 2003

City of Lanett Fire Department

License # 8834876

1997, American Heart Association

Expiration Date

Basic Course

has successfully completed the cognitive skills evaluation in accordance with the standards of BTLS International for the Basic Course.

JUNE 1998 Card Issue Date

A-1633-AL Course Number

JUNE 2001 Expiration Date

VALLEY, AL Course Location

Lanett Fire & EMS
Agency Conducting Course

Lanett, Alabama 36863 city and State

August 25, 2003

Date Course Completed

Jertificate of Completion

Presented To

Terry Daniel

For Successful Completion of the

NHTSA Emergency Vehicle Operator Course (Ambulance)

(16 Hours Training)





Certificate Of Completion

Presented to

Terry Daniel

For succesful Completion of the (8 Hour)

NHTSA

Emergency VehicleOperators Refresher Course

December 3, 2004

EVOC Instructor

このはなるのでは、一般のでは、これでは、

Certificate Of Completion

Presented to

For succesful Completion of the (8 Hour)

NHTSA

Emergency VehicleOperators Refresher Course EVOC Instructor

December 3, 2004

Certificate Of Completion Presented To

Alabama D.O.T. Basic Refresher Class For successful Completion Of The Terry L. Daniel

January 4,2005 DN# 417-88-2127 Instructor Willia Alabama EMT License # 8834876 Medical Director

BASIC TRAUMA LIFE SUPPORT

Basic Course

91865B

Terry Daniel

has successfully completed the cognitive skills evaluation in accordance with the standards of BTLS international for the Basic Course.

02/15/2005

02/2008

Card Issue Date

Expiration Date

332

Lanett Fire

Course Number

Course Location

ledical Director's Signature

Successful completion does not warrant performance or authorize or qualify the card holder to perform any procedure. This recognition is subject to the provisions and limitations of applicable chapter statutes and licensing acts.

BTLS International, Inc. 1 S. 280 Summit Ave., Court B-2 Oakbrook Terrace, IL 60181



Alahama State Board of Health
THIS IS TO CERTIFY that a license is granted by the STATE BOARD OF HEALTH



DANIEL, TERRY L

March 31, 2006 and is subject to the provisions This license Shall Expire of The Code of Alabama, 1975, 22-18-1, et seg. This license shall not be Assignable or Transferable, and the licensee may be subject to disciplinary action, up to and including license suspension or revocation for any pertinent violation of the current ALABAMA STATE BOARD OF HEALTH, EMERGENCY MEDICAL SERVICES RULES.

December 17, 2003

IN WITNESS WHEREOF, I have unto set my hand this

License No:

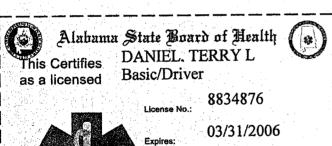
8834876

Basic/Driver License Level:

00114854

State Health Officer

ADPH-F-EMS-31 / 8-2000(BS)





State Health Officer

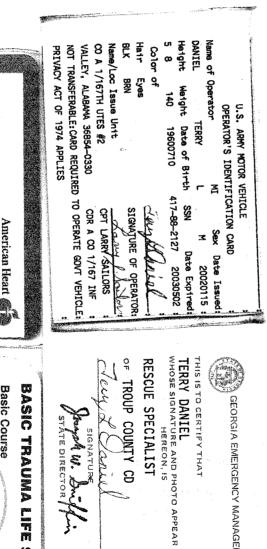
Alabama State Board of Health

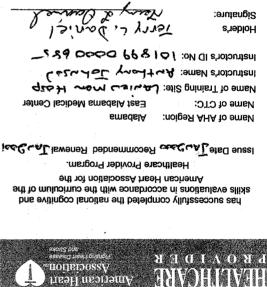
PHOTO

DANIEL, TERRY L Basic/Driver 8834876

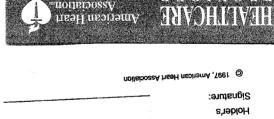
DANIEL, TERRY L 2409 -8TH ST SW LANETT, AL 36863

GEORGIA EMERGENCY MANAGEMENT AGENCY





© 1997, American Heart Association



Instructor's ID: 68800000668101 justructor's Name: Daniel, Temy L. Name of Training Site: Name of CTC:

East Alabama Medical Center Name of AHA Region: **emedelA**

Issue Date: 7/1/ 98 Expiration Date: 07/2000 Basic Life Support Program. has successfully completed an American Heart Association Instructor's Course for the Terry L. Daniel







Herry M. W.

Ö

141-50

SIGNATUR

STATE DIRECTOR

23 Jas Jess 2

JAJ JOON

04-co-02-42 Course Number

Ċ

Course Location

Lanett Fire

Expiration Date

5/2005

Card Issue Date

5/23/02

accordance with the

kills evaluation in smational for the

Basic Course. has successfully our

accordance with the curriculum of the American Heart Association for the BLS for Healthcare Providers Program. CPR / AED This card certifies that the above individual has successfully completed the national cognitive and skills evaluations in Healthcare

Provider

Fighting Heart Disease and Stroke

Association.

DANIEL



Alabama State Board of Health THIS IS TO CERTIFY that a license is granted by the STATE BOARD OF HEALTH



DANIEL, TERRY L

March 31, 2006 and is subject to the provisions This license Shall Expire of The Code of Alabama, 1975, 22-18-1, et seq. This license shall not be Assignable or Transferable, and the licensee may be subject to disciplinary action, up to and including license suspension or revocation for any pertinent violation of the current ALABAMA STATE BOARD OF HEALTH, EMERGENCY MEDICAL SERVICES RULES.

December 17, 2003

IN WITNESS WHEREOF, I have unto set my hand this

License No:

8834876

License Level:

Basic/Driver

00114854

State Health Officer

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA EASTERN DIVISION

TERRY DANIEL,)	
Plaintiffs,)))	CIVIL ACTION NUMBER:
v.)	
)	3:05cv01110-WKW
CITY OF LANETT, ALABAMA,)	
)	
Defendants.)	

EXHIBIT 8 TO AFFIDAVIT OF TERRY DANIEL IN RESPONSE TO THE DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

City of Lanett Lanett, Alabama

Employee Personnel Handbook



August 1, 2004

CITY OF LANETT

EMPLOYEE PERSONNEL HANDBOOK

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FOREWORD

practices necessary for the effective operation of the city's employees to inform them of those personnel policies, rules, and personnel system. The handbook contains information covering: The material contained in this handbook is provided to city

- 1. conditions under which individuals are recruited, selected and employed;
- employee discipline;
- employee grievances and appeals; and
- The rules and procedures contained herein have been adopted employee compensation, benefits, and working conditions

by an employee prior to the date of such change, but may affect those benefits or other conditions of employment from the date of the city council. The city reserves the right to make changes in by the Lanett City Council and are applicable until changed by the change onward. desirable. Such changes will not affect specifics benefit earned any city personnel policy, rule, regulation, procedure, and/or employee benefit at any time that it is so necessary or

approval by the Lanett City Council. areas at least five (5) calendar days before being considered for will be posted in a prominent location in city offices and work adoption by the city council. All changes become effective upon All proposed changes to the City of Lanett personnel system

should be directed to the city manager's office. Questions regarding any aspect of the city personnel system

0 ۵ advertising in newspapers, trade, or professional notifying the news media of available vacant posting vacancy notices on bulletin boards in city jobs/positions and dates of journals; and examinations;

buildings and other prominent locations within the City of Lanett (to include areas that are readily accessible to the handlcapped).

qualifications, grade, salary range, reasonable deadline city will provide a description of the job, necessary Vacancy notices or advertisements for employment with the employment office. All vacancy or advertisement notices an Equal Opportunity Employer (M/F/H)". will also contain the statement: "The City of Lanett is for applying, and the address and phone number of the

city. personnel officer on application forms furnished by the All employment applications will be submitted to the city

personnel officer will refer all applicants who meet the After the closing date of the vacancy notice, the

> minimum requirements for the job to the department head top three (3) candidabas will be referred to the city manager for the final selection for review and necessary interviews as appropriate.

- All applications received in response to a vacancy notice completed the required probationary period. will remain active until the selected applicant has applications remain on file, the vacancy will be from the remaining qualified applicants. If no qualified required probationary period, the vacancy will be filled selected applicant does not successfully complete the advertised again. If the
- All final selections will be made by the city manager political affiliation, or handicap, except where age, without regard to age, sex, creed, religion, race, to be the required and desired qualifications for the job based on the knowledge, skills and abilities determined qualified handicapped individuals will be made, when qualification. sex, or handicap constitute a bona fide occupational necessary. Reasonable accommodations for otherwise
- Appropriate inquiries of former employers and selected the applicant's present employer. agreeable to the applicant, inquiries may also be made of applicants tentatively designated as acceptable. personal references will be made only for those Ħ

equal to the length of the absences.

period are discouraged and will be granted only in Lengthy or frequent absences during the probationary A written notice will be furnished the terminated it is deemed in the best interest of the city to do so terminate the employment of a probationary employee, if the individual's employee file. individual. A copy of such notice will be included in During the probationary period the city manager may

notified in writing by the city manager of his/her Employees who successfully completed their probationary approval by the city manager. The employee will be recommendation of their respective department head and period will become permanent status employees upon permanent status.

Probationary employees will not be eligible for "city benefits" until after completion of the three (3) months applies to personnel in the police and fire departments. probationary period. This three (3) months delay also

SECTION IV

CAREER ADVANCEMENT

A. TRANSFERS

- 1. Any employee in the classified service may, with his/her permanent status classified employee so transferred will however, the individual's pay will be reduced to reflect consent, be transferred to a similar job/position of the the correct pay grade and step if the transfer is to a will be given to any employee as a result of a transfer; not be subject to a probationary period. No pay increase same or lesser grade in the classified service.
- An eligible employee who desires to be transferred should make his/her request known in a letter through his/her department head to the personnel officer.
- As vacancies occur in those departments in which the must be acceptable to both the gaining and losing department heads and approved by the city manager. the department head for consideration. Such transfer employee is qualified, his/her name will be submitted to
- The personnel officer, in coordination with the personnel records are updated as required date of the transfer and will ensure that the appropriate department heads concerned, will determine the effective

56 GROMOTIONS.

A promotion is defined as the permanent assignment of an grade level will be filled so far as is practical by the Vacancies in the classified service above the lowest employee to a position with a higher grade than his/her classified service, the personnel officer will initiate promotion or transfer of qualified permanent employees. current grade and an accompanying increase in salary. If a qualified applicant is not available from the with SECTION IV STAFFING outside recruitment to fill the vacancy in accordance

religion, sex, age, national origin, or handicap and will must submit an application to the personnel officer in be based solely on job related merit, efficiency and promotions will be made without regard to race, color, accordance with the published job vacancy notice. To be considered for a higher level position an employee for promotion. of promotion the employee must be eligible and qualified job description for the job/position). In each instance occupational qualification as reflected in the approved physical condition (if physical condition is a bona fide

All promotions will involve a change in salary. amount of salary increase will be determined in employee will be placed in the lowest step for his/her accordance with the city pay plan. Normally, a promoted The

12

new job grade that allows at least a five (5) percent pay increase to the employee.

- An employee, who receives a promotion, will serve a acceptable, he/she may be reassigned to a position performance during the probationary period is not conducted after the third month. If the employee's first month of employment and the second will be period. The first evaluation will be conducted after the be evaluated in writing twice during the probationary date of the promotion. The employee's performance will period will be for three (3) months from the effective probationary period in the new job. The probationary comparable to his/her previous position before the promotion, if one is available.
- No individual should consider himself/herself promoted city council and he/she has been notified in writing of until such promotion is approved by the city manager or his/her appointment
- Promotion Procedures
- All vacancies above the entry level will be announced boards and other areas readily accessible to the by posting vacancy notices on department bulletin days from the date of posting for receipt of classified employees for at least five (5) working applications by the personnel officer. It is the employees. All vacancies will be open to permanent

the department head for consideration and review. and other relevant employee information on file to the personnel officer will forward all applications

personnel officer as needed. deadline listed in the vacancy notice. Additional completed application to the personnel officer by the responsibility of the employee to submit his/her After the closing date for receipt of applications, application guidance will be provided by the

It is the intent of the city to fill vacancies only applicants to the city manager for final selection. outside recruitment actions as outlined in SECTION IV city employees, the personnel officer will initiate no qualified applicant is available from eligible with persons with the most potential for success. The department head will recommend the top three Ιf

Wiporary Assignment.

An employee may be department head af for a period not to for such purposes

Toprojects, or filling. An employee may be placed on temporary assignment by a for a period not to exceed one hundred eighty (180) days department head after consulting with the city manager projects, or filling temporary vacancies for such purposes as training, accomplishing special

- No salary adjustments will be made for temporary based on his/her regular position. employee's pay during the temporary assignment will be assignments that do not exceed thirty (30) days. The
- After thirty (30) days, the employee's pay will be adjusted to the grade of the temporary job assignment. regular pay upon termination of the temporary assignment. above the pay of his/her current grade and step. The The employee's adjusted pay will be at least one (1) step employee's adjusted pay will revert back to his/her

SECTION V

DEMOTIONS

An employee may be demoted to a position of lower grade for which he/she is qualified for any of the following reasons: His/her position is being abolished because of a lack of work or a lack of funds, and he/she would otherwise be laid off; or

- 2 The employee's performance has not demonstrated his/her he/she holds; or ability to render satisfactory service in the position
- The employee voluntarily requests such demotion.
- Demotion requires the approval of the city manager. For all stating the reason(s) and the effective date of the demotion will be provided to the employee at least fourteen (14) demotions, regardless of the reason(s), written notification

4

council as "unclassified." Unclassified Sarvice: as classified employees, except as follows: policies and procedures apply to these employees the same approved jobs which has been designated by the city (a) An unclassified employee's tenure of service is the pleasure of the city council; Department heads or individuals Established personnel Ľ,

9 If the individual is a classified employee at the position he/she will retain the right to time of his/her appointment to an unclassified unless his separated for cause; upon termination from the unclassified service, available position for which he/she is qualified reinstatament as a classified employee in an

3 If the idividual is not a classified employee at qualified applicants for that vacancy. may appl and be considered along with other the clasified service after termination from the service, he/she will have no right to employment in the time of his/her appointment to the unclassified which he'she is qualified exists in the city, he/she unclassiled service. However, if a vacancy for

> Classified Service: will be forty (40) hours. Employment in the classified However, the usual number of hours worked in a workweek established at the employee's time of employment. actual number of hours worked each workweek will be work at least twenty-four (24) hours in a workweek. service will be in accordance with one of the following Employees in the classified service Ήe

Ψ

- Permanent. notice will be included in the employee's personnel will be in writing to the employee. A copy of the completion of the probationary period. permanent status for all classified employees upon city service. The city manager will approve job that has been designated a classified job in the completed the established probationary period in a Employees who have successfully Such approval
- Probationary. position and/or have not been approved as classified established probationary period for a classified employees by the city manager Employees who have not completed the
- twenty-four (24) hours in the established workweek. Part-time Service. established for each employee at the time of their actual number of hours to be worked each workweek will be employment. An employee in the part-time service may be Employees who work less than The

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA EASTERN DIVISION

TERRY DANIEL,	
Plaintiffs,)) CIVIL ACTION NUMBER:
v.)
) 3:05cv01110-WKW
CITY OF LANETT, ALABAMA,)
Defendants.))
CITY OF LANETT, ALABAMA,) CIVIL ACTION NUMBER) 3:05cv01110-WKW))

EXHIBIT 9 TO AFFIDAVIT OF TERRY DANIEL IN RESPONSE TO THE DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

ARTICLE III. CITY PERSONNEL GENERALLY

Sec. 2-76. Personnel policy statements.

The City of Lanett's governing body does hereby adopt and proclaim the following personnel policy statements:

- (1) Equal employment opportunity. The city is an equal opportunity employer and does not discriminate in any employment policy or practice on the basis of age, sex, race, creed, religion, color, point of origin, marital status, political affiliation, or handicap, except where age, sex, or handicap constitutes a bona fide occupational qualification. Minorities, women, and handicapped persons will be encouraged to seek employment with the city so that a representation of all groups in the city service is maintained.
- (2) Conditions of employment.
 - a. The city will develop and maintain an accurate description of each job position in the city service with a list of representative tasks normally assigned to or associated with that job description.
 - b. The city will fill jobs/positions with the most qualified eligible applicants. If two (2) or more applicants are equally qualified, the appointing authority will have a choice as to which applicant he/she may select. However, consideration will be given to providing representative employment to minorities and handicapped groups.
 - c. The city will give first consideration to promotion of qualified classified employees when filling vacancies above the entry level. Promotion to vacant positions will be based on:
 - 1. quality of past job performance;
 - 2. ability; and
 - 3. seniority.
 - d. All employees have the right to discuss any and all matters relating to their employment and/or their personal welfare with their supervisors. They may communicate with their supervisors, either orally or in writing, and may be accompanied by reasonable representation of their choice. When a disagreement cannot be resolved, all employees shall have access to successively high levels of management.
 - e. Continuance of employment shall be subject to good behavior, satisfactory performance of work, necessity for the performance of work, and availability of funds.
 - f. Supervisory personnel will strive for high standards of performance in their department and will strive to fairly and impartially implement required disciplinary measures. Employees, who do not perform satisfactorily or who do not meet established standards, will be disciplined in a just and expedient manner which respects both the rights of the individual and the obligation of the city to serve its citizens.
- (3) Personnel review board. A personnel review board is created for the city to serve as an appeal body for employee grievances in the city grievance process. The board will

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hear cases involving demotions, suspensions, involuntary separations, and rule violations.

- (4) Employee compensation and benefits.
 - a. The city will maintain job classification and pay plans which will:
 - 1. be based on the type and complexity of work performed;
 - 2. provide equal pay for equal work across all jobs in accordance with applicable laws and regulations; and
 - 3. be comparable, within funding limitations, to similar employment situations in comparable cities and localities.
 - b. The city will provide to eligible employees, within its financial capability, appropriate fringe benefits such as holidays, sick leave, vacation leave, insurance, and retirement benefits.
- (5) Political activity. City employees may, and are encouraged to, participate fully and actively in the political process, except as restricted by law. In general, city employees are restricted only in their on-the-job political activities. The city personnel officer will advise all employees who have questions concerning their rights and applicable restrictions. No employee shall be penalized in any way for permitted political activity or lack thereof.

(Ord. No. 11-86-1, §§ I--IV, VI, 11-10-86)

Note: See the editor's note following § 2-77.

Sec. 2-77. Rules, regulations, and procedures.

- (a) Adoption of personnel system manual. The application of the personnel policy statements contained herein shall be governed by rules, regulations, and procedures adopted by the Lanett City Council. The said rules, regulations, and procedures, which have been printed or reproduced and bound in book or pamphlet form, are hereby adopted by reference as the Lanett Personnel system Manual.
- (b) Interpretation. The Lanett Personnel System Manual, as adopted, is intended to cover those personnel situations and actions likely to be encountered during the operation of the city personnel system. Those situations and/or actions not specifically covered shall be interpreted by the city manager in keeping with the intent and objectives of these personnel policy statements. A record of these interpretations shall be kept by the city personnel officer to ensure consistent application and to ensure incorporation into subsequent revisions.
- (c) Severability. The parts, sections, paragraphs, clauses, and phrases of sections 2-76 and 2-77 and the Lanett Personnel System Manual, herein adopted, are severable. If any part, section, paragraph, clause, or phrase of sections 2-76 and 2-77 or the Lanett Personnel System Manual herein adopted shall be declared unconstitutional or invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any remaining parts, sections, paragraphs, clauses, or phrases of such sections or the personnel system manual herein adopted.
- (d) Policies not contractural. The policies set forth in the Lanett Personnel System Manual are guidelines that should be used by department heads and supervisors in employee relations and benefits. These policy guidelines are not a contract between the city and its employees, and department heads and supervisors should not view them or use them as such. Rather, these policies are flexible guidelines developed by the city to assist department heads and

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supervisors in making day-to-day employee relations decisions. No policy is perfect, and situations may arise when the literal application of a particular policy or guideline would create a result that is unacceptable. The city reserves the right to deal with such situations in an appropriate manner. The city manager should be contacted immediately whenever it is believed that an exceptional situation exists. The police guidelines contained in this manual are subject to review. Established policy guidelines may be amended, altered, or changed by resolution of the city council in accordancewith established procedures. When policy guidelines are changed, abolished, added or substituted, the city will attempt to inform all employees of the action taken.

(e) Repealer. All resolutions, rules, regulations, or policies in conflict with sections 2-76 and 2-77 or the personnel system manual adopted herein are hereby repealed to the extent of such conflict.

(Ord. No. 11-86-1, § V, 11-10-86)

Editor's note: Ord. No. 11-86-1, adopted Nov. 10, 1986, did not specifically amend the Code; hence, §§ I-IV, VI, of such ordinance have been codified herein as superseding § 2-76, personnel system and policy generally, which bore no history note, and, § V of the ordinance is included as superseding § 2-77, personnel rules and regulations, derived from the 1966 Code, § 2-52.

Sec. 2-78. Retirement system.

- (a) All persons filling city positions on a full normal working time basis, as well as part-time employees who work at least twenty (20) hours per week and earn no less than the prevailing minimum wage, shall be eligible for participation in the employees' retirement system of Alabama. Temporary employees are not eligible.
- The city agrees to make all prior service contributions at the rate as determined by the actuary of the employees' retirement system with the state prior service rate to be applicable until such determination of prior service rate is made. The city agrees to make contributions at the normal rate for current service, which is the same as the state normal rate.
- The city agrees to pay for the initial cost of a preliminary valuation by the actuary to determine the accrued liability on account of prior service and to pay the cost of the valuation after one (1) full year of coverage and any other cost for special services of the actuary plus the regular administrative cost of operation of the employees' retirement system.
- (d) The city agrees to submit all information as required by the employees' retirement system of Alabama relative to its employees.

(Code 1966, § 2-57)

State law references: Participation by city in state employees' retirement system, Code of Ala. 1975, § 36-27-6.

Sec. 2-79. Self insurance for workmen's compensation obligations.

The city shall self insure the obligations which are imposed on the city by the Workmen's Compensation Law of Alabama.

(Code 1966, § 2-4)

State law references: Workmen's compensation, Code of Ala. 1975, § 25-5-1 et seq.; option of employer to self insure, § 25-5-8.

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Sec. 2-80. Method of financing unemployment compensation benefits for former employees.

The city hereby declares its option to choose the contributory (tax rate) method of making payments in lieu of the contributions (reimbursing) system to finance benefit costs of former employees under the Alabama Unemployment Compensation Law.

(Code 1966, § 2-5)

State law references: Unemployment compensation, Code of Ala. 1975, § 25-4-1 et seq.

Sec. 2-81. Members of same family working in same department.

No person shall be employed by the city to work in a department in which a member of his immediate family is employed. A member of the same family may, however, work in a different department.

(Code 1966, § 2-56)

Sec. 2-82. Acceptance of fee or reward by officers.

No city officer shall be allowed to take any fee or reward, except such as may be allowed by the city.

(Code 1966, § 2-53)

Sec. 2-83. Duty of employees with respect to city property.

Each employee of the city shall be required to take special care of city property which comes into his possession and under all circumstances shall protect the property of the city in the hands of others from damage, injury or waste.

(Code 1966, § 2-54)

Secs. 2-84--2-93. Reserved.

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA EASTERN DIVISION

TERRY DANIEL,)
Plaintiffs,)) CIVIL ACTION NUMBER:
v.)
) 3:05cv01110-WKW
CITY OF LANETT, ALABAMA,)
Defendants.)

EXHIBIT 10 TO AFFIDAVIT OF TERRY DANIEL IN RESPONSE TO THE DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

Captain Kelly Meacham 4127 Veteran's Memorial Parkway Lanett, Alabama 36863

November 3, 2004

Subject: Letter of Recommendation for A/O Terry L. Daniel

To Whom It May Concern:

Terry has worked under my supervision as an Apparatus Operator from June 2004, until Present. Prior to this I have worked with Terry for over 20 years in the Fire Department. His responsibilities include assistant shift supervisor, assuring that fire apparatus and firefighting equipment is in working order, completing time sheets and scheduling personnel, and exterior fire ground commander. During the course of his employment, Terry has proved himself to be an able employee, a hard worker, and an asset to fire ground operations.

I am quite impressed by Terry's ability to complete all work assigned to him on time, if not before it was due. His work has always been thorough and comprehensive, and his attention to detail accurate. Apparatus Operators act as shift supervisors in the absence of the shift Captain, and Terry has performed in this capacity on numerous occasions, sometimes for months on end.

Overall, Terry is a very conscientious and able employee. I certainly believe he has what it takes to make an outstanding captain someday, and I would be sad to see him moved from my shift. I consider him an asset to my shift and have no reservation in leaving the shift and its operations in his hands when I am away from the station. I strongly recommend Terry for promotion to captain.

Sincerely.

Mullil Milicle Kelly Meacham

Captain

Lanett Fire and EMS

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA EASTERN DIVISION

TERRY DANIEL,)
Plaintiffs,))
v.)
) 3:05cv01110-WKW
CITY OF LANETT, ALABAMA,)
Defendants.))

EXHIBIT 11 TO AFFIDAVIT OF TERRY DANIEL IN RESPONSE TO THE DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

TERRY L. DANIEL

2409 8th Street Southwest Lanett, Alabama 36863 Home Phone (334) 644-2845

OBJECTIVE: Have a strong moral character and dedicated to the job and a high level of dedication to my responsibility.

OUALIFICATIONS: During the past 26 1/2 I have been employed with the Lanett Fire & EMS Department, during the past years I have had the experience and responsibility of assistant shift supervisor, fire investigation, apparatus operator and in the absence of the Fire Captain responsibility of shift supervisor. I have successfully completed the following state and national qualifications: Fire Officer One and Two, Firefighter One and Two, Apparatus Operator, Instructor One and Emergency technician Basic.

On May 25, 1995 the Mayor and Council recognized me by Certificate of Commendation for assuming the Duties and Responsibilities of Fire Captain, at a time of need. Also on April 4, 1998 I received a commendation from Chief Hudson, at this time I was filling in as Captain when Mack Sanders was out sick. On three different occasions I was acting Captain for a period of 6 months each time, the dates were Sept. 1994, Aug. 1995 and Jan. 2001. I also received Captains pay after a period of 30 days.

EDUCATION

1976 - 1977	Lanett High
1978 - 1978	Military training school's
/1979	Auburn University Department of Education (GED-NS-0108305)
1981	Alabama Fire College (fire training and continuing education)
1987	Chambers County Vocational School (Alabama Real Estate 12 weeks)
1988	Southern Union State Jr. College Opelika, Al. (Basic EMT)
1989	Chattahoochee Valley Community College (Real Estate Appraisals RLS 209 ADV)

EMPLOYMENT

CITY OF LANETT

July 07, 1978	Paid Volunteer Firefighter (Employed)
November 13, 1981	Promoted to Full Time Firefighter and Ambulance Driver
October 1983	Assuming the Duties and Responsibility of Fire Cause Investigation
	Recognized in the Standard Operations Procedures
August 1, 1989	Promoted to Lieutenant: Supervisor of station two
March 1, 1991	Station two closed and all Lieutenants were reassigned to Firefighter
October 10, 1994	Promoted to Apparatus Operator (According to the SOP this is a supervisor position)
September, 1994	Assuming the duties and responsibility of Fire Captain to Feb. 1995
August, 1995	Assuming the duties and responsibility of Fire Captain to Dec. 1995
January, 2001	Assuming the duties and responsibility of Fire Captain to March, 2001

OTHER EMPLOYMENT

1987-1992

Valley Realty (Alabama License # 032787)

October 16, 2003

Wayne's Electrical service

DEPARTMENT OF THE ARMY NATIONAL GUARD

August 15, 2002

Retired from Company A 1st Battalion 167th (Mech) Infantry

ALABAMA FIRE COLLEGE AND PERSONNEL STANDARDS COMMISSION

Fire Officer Two F02131 Feb. 24, 1999

Phenix City Fire Department

Fire Officer One F0827 July 14. 1998

Eufaula Fire Department

Apparatus Operator A2531 April 9, 1998

Lanett Fire & EMS Department

Firefighter Two F2-2773 March 4, 1998

Lafayette Fire Department.

Fire Instructor One I-1530 Sept. 30, 1991

Lanett Fire & EMS Department

Firefighter One F-1478 Nov. 12, 1982

Phenix City Fire Department

NATIONAL BOARD OF FIRE SERVICE PROFESSIONAL QUALIFICATIONS

Fire Officer Two #52344 Feb. 24, 1999

Fire Officer One #48328 June 14, 1998

Apparatus Operator #45420 April 9, 1999

Firefighter Two #44888 March 4, 1998

Firefighter Instructor #22 Dec. 7, 1993

Firefighter One #477 Dec. 7, 1993

STATE CERTIFCATES AND TRAINING COURSE Alabama Fire College

Basic Fireman ship Training	15 Hours	Mar. 14, 1982
Seminar In Arson Investigation	6 Hours	Oct. 14, 1983
Waterous Pump	14 Hours	Apr. 5, 1983
Fire and Arson Investigation	28 Hours	May. 25,1984
Advanced Fire And Arson Investigation	26 Hours	May. 17,1985
Fire Inspector	26 Hours	Dec. 6,1985
Fire Inspector	36 Hours	Dec. 5,1986
Positive Pressure Ventilation	24 Hours	Feb. 26,1992
Hazardous Materials Awareness	48 Hours	Dec. 12,1994

NATIONAL FIRE ACADEMY

Certificate of training

Hazardous Materials Awareness	Dec. 4,1985
Basic Fire Prevention Inspection	Dec. 5,1986
Hazardous Materials Recognizing and Identifying	Nov. 23,1987
Hazardous Materials Awareness	Dec. 17,1989
Awareness For Initial Response to Hazardous	May 2,1992

GEORGIA FIRE ACADEMY

West Point Fire Department

LP Gas Workshop	Apr. 10,1986
Rescue Specialist	May 18,1986

1 01 11

OFFICE OF THE MAYOR

CITY OF LANETT
Assuming The Duties of Fire Captain

Certificate of Commendation

May 25, 1995

COMMENDATION

LANETT FIRE & EME DEPT Chemical Fire on Cusseta Road

Chief Hudson

April 04, 1988

Captain Kelly Meacham

April 04, 1988

DEPARTMENT OF FORENSIC SCIENCES

Auburn Alabama

Crime Scene Investigation

Feb. 4-6, 1986

DEPARTMENT OF JUSTICE

WMD Incident Command Course (COBRA) 01-99 IC

Oct. 16-20, 2001

OTHER TRAINING

D.O.T. First Responder

Army Corps of Engineers West Point, Ga.

Summer 1984

Ambulance Driver License 8524516

Apr. 16, 1985.

American Heart Association BLS Instructor 10911

George H. Lanier Hospital

Summer 1997

East Alabama EMS, Ins EMT Basic Refresher 24 hours

SUSJC

Nov. 16, 1997

Basic Trauma Life Support 2925B

June 1998

American Heart Association BLS Instructor 1018990000883

George H. Lanier Hospital.

July 1998

Emergency Vehicle Operator Course

Conducted at GHL- Hospital

July 1999

Pre-Hospital Emergency Care Medical

Conducted at Lee County EMA

Nov. 2000

Incident Command System

East Alabama Fire Department

Oct. 6-27, 2000

Emergency Vehicle Operator Course

GHL by Valley EMS

Nov. 30, 2000

Trauma Emergency Conducted at Lee County EMA	Dec. 02, 2000
American Heart Association Heart Saver	April 4, 2001
American Heart Association BLS Instructor (Basic Life Support Program)	June 29, 2001
American Heart Association BLS For Healthcare Provider	Jan. 02, 2002
American Heart Association Healthcare Provide	Jan. 23, 2002
Basic Trauma Life Support Lanett Fire & EMS Dept	May 22, 2002
Emergency Response to Terrorism Tactical Consideration Emergency Medical Services (2 day's) Lanett Fire & EMS Dept	Dec. 14, 2002
NHTSA Emergency Vehicle Operator Course (Ambulance). 16 Hours Training at Lanett Fire & EMS	Aug .25, 2003
Basic EMT Refresher Class (March 11&18and April 1,3,10,1&17, 2003)	Oct. 15, 2003
American Heart Association Healthcare Provider Lanett Fire & EMS Dept	Dec. 2003
NHTSA Emergency Vehicle operators Refresher Course Lanett Fire & EMS Dept.	December 3,2004
Alabama D.O.T. Basic Refresher Class. Lanett Fire & EMS Dept.	January 4, 2005
Basic Trauma Life Support Lanett Fire & EMS Dept.	February 15, 2005

DEPARTMENT OF THE ARMY

Alabama Army National Guard (Enlistment)

Company A 1st Bn (M) 167th

Feb. 16, 1978 to May 14, 1982

Lansdale, Al. 36864

Reserve assignment: United States Army Reserve

May 14, 1982 to Feb.15, 1984

(Reenlistment)

Company A 1st Bn (M) 167th Inf.

Valley, Al. 36863

Transferred to the Retired Reserve

Aug. 15, 1991 to Aug. 15, 2002

Retired from Military

To ETS on Aug. 14,2007

Feb. 8, 1994

MILITARY TRAINING SCHOOL'S 17 WEEKS OF COMPLETION

Basic Training Fort Jackson, South Carolina

Mar. 19, 1978 May 12, 1978

MOS Training Fort Benning, Georgia

Jan.23, 2002

Security Police Course (Law AR 190-56)

STATE MILITARY DEPARTMENT

Office of the Adjutant General

Certificate of Achievement

Montgomery, Al

Commander 31st Armored Brigade

Northport, Al.

Commander, Company A 1/167th Infantry Battalion

Valley, Alabama

DEPARTMENT OF THE ARMY

Certificate of Appreciation **During Operation Noble Eagle**

Sept. 2002

ARMY RESERVE COMPONENTS ACHIEVEMENT MEDAL

National Defense Service Medal w/1-Bronze Service Star, Army Reserve Component Achievement Medal w/3- Bronze Oak Leaf Clusters, Armed Forces Reserve Medal w/ Bronze 10yr's "M" Dev, Sharpshooter Qualification Badge w/Rifle Bar, Faithful Service Medal of Alabama w/3 Bronze Saint Andrews Crosses, Army Service Ribbon, Active Duty Basic Training Ribbon of Alabama